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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,996	10/08/2003	Chun-Liang Lee	LA-7196-130.US	8947

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EXAMINER	
FRINK, JOHN MOORE	
ART UNIT	**PAPER NUMBER**
2112	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/681,996	Applicant(s) LEE ET AL.
	Examiner John M. Frink	Art Unit 2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 11* is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1 - 11* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: grammatical errors in paragraph 8; specifically:

'The redundant management control . . . is *characterized by that it allows* . . . . .".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the definition and description of 'configuration data reception interface,' which is that it is "used to receive a set of configuration data from the blade server," does not provide sufficient detail as to enable the invention to a person of ordinary skilled in the art. Furthermore, since 'configuration data reception interface' is not an industry standard term, no more information to enable this disclosure can be obtained. For the purposes of this

examination, the definition of 'configuration data reception interface' is considered to convey the same function as the industry standard interface IPMI.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is not clear what is meant by the term 'information platform.' For the purposes of this examination, 'information platform' is interpreted as a computer.

6. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is not clear what is meant by the term 'configuration data reception interface.' The description given in the specification, that it is "used to receive a set of configuration data from the blade server" does not provide sufficient detail since 'configuration data reception interface' is not an industry standard term. For the purposes of this examination, the definition of 'configuration data reception interface' is considered to convey the same function as the industry standard interface IPMI.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

> said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1, 5 and 6 are rejected 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (US 6,948,008 B2) in view of Struhsaker et al. (US 2002/0098869 A1).

9. Regarding claim 1, Hawkins et al. discloses a redundant management control arbitration system (col. 2 lines 1 – 60, col. 7 lines 5 - 23) where the system comprises a management controller installation status detecting module, which is capable of detecting whether the information platform has been installed with another management controller, after its associated management controller is installed on the information platform (Fig. 3 [301, 305, 306], Fig. 4).

Hawkins et al. additionally disclose setting one management controller to be the active controller and a second controller to be the standby controller. (col. 6 lines 12 – 16, Fig. 3).

Hawkins et al. additionally disclose a failure detection module, which is activated in the event of the associated management controller being set to active mode to continually detect whether the associated management controller operates normally, and if not, capable of issuing a standby enable signal (col. 2 lines 1 – 60, col. 4 lines 6 – 16, col. 5 lines 14 – 24).

Hawkins et al. additionally disclose a standby activation module, which is capable of being activated in response to the standby enable signal from the failure detecting module to switch the standby management controller to active (Fig. 3, Fig. 4, col. 5 lines 15 – 34).

Hawkins et al. further disclose a task handover module, which is capable of being activated in response to the standby enable signal from the failure detecting module to hand over all the current management control functions that are handled by the failed management controller to the standby management controller (col. 5 lines 15 – 24, lines 49 – 64, col. 6 lines 51 – 60).

Hawkins et al. do not disclose setting a management controller to active mode in the event that the management controller installation status detecting module detects that no other management controller is installed on the information platform, and to standby mode in the event that another management controller has been already installed on the information platform.

Struhsaker et al. also discloses a system for utilizing primary controllers and secondary controllers, whose purpose are to provide system redundancy features (paragraphs 60 and 62). Struhsaker et al. further disclose setting a management controller to primary (active) mode if there are no other controllers installed, and to secondary (backup) mode if there is an existing active controller (Fig. 13, Fig. 15, paragraphs 0190 – 0193).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine the backup controller invention of Hawkins et al. with the backup controller system of Struhsaker et al. in order to insure explicitly that Hawkins et al.'s invention would properly function if only one controller was detected by setting that controller to be the primary and active controller. This ensures that if the secondary controller in Hawkins et al.'s disclosure is never installed or is in a state of failure beginning initial attempts at installation such that for all purposes it is never installed, the system would remain operable, resulting in a more stable system/server/computing environment.

10. Regarding claim 5, Hawkins et al. further discloses wherein each management controller is a baseboard management controller (col. 1 lines 49 – 52, col. 2 lines 1 - 33) that supports the standard Intelligent Platform Management Interface (col. 2 line 59 – 60).

11. Regarding claim 6, Hawkins et al. further discloses where the operating mode setting module, the failure detecting module, and the standby activation module are implemented as a single ASIC (col. 3 lines 1 – 13).

Hawkins et al. do not disclose where the controllers installation status detecting module is implemented along with these other said modules on a single ASIC.

Struhsaker et al. disclose a controller installation status detecting module (Fig. 13, Fig. 15, paragraphs 0190 – 0193).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the controller status detecting module disclosed by Struhsaker et al. with the integrated ASIC disclosed by Hawkins et al. By using the ASIC disclosed by Hawkins et al., the resulting device could have performance benefits, as the www.pcmag.com encyclopedia's definition of ASICs discloses: "use of ASICs improve performance over general-purpose CPUs" (http://www.pcmag.com/encyclopedia_term/0,2542,t=ASIC&i=38030,00.asp).

12. Claims 2, 3, 4, 7, 8, 9, 10 and 11 are rejected 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (US 6,948,008 B2) in view of Struhsaker et al.

(US 2002/0098869 A1), further in view of NexCom (NexBlade HS420 2003-06 Edition).

13. Regarding claims 2,3, 7 and 8, Hawkins et al. and Struhsaker et al. show the system of claim 1, wherein the information platform is a computer

Hawkins et al. further shows where the management controller is connected to a group of interfaces including a configuration data reception interface (col. 2 lines 58 – 60), IPMI interface (col. 2 lines 58 – 60) and an I2C interface (col. 2 lines 52 – 54).

Hawkins et al. and Struhsaker et al. do not show where the computer is a blade server and Hawkins et al. and Struhsaker et al. do not show where the management controller of the blade server is connected to a group of interfaces including: a SerDes interface, a HiGiG interface, a RJ45 Giga interface, a Fiber Channel interface, a UART interface, and a Magnetic RJ45 interface.

NexCom shows where the computer is a blade server (cover page, pg. 1, pg. 2) and NexCom shows where the management controller of the blade server is connected to a group of interfaces including: a configuration data reception interface (pg. 26), a SerDes interface (pg. 26), a HiGiG interface (pg. 12, Fig. 8, pg. 13), an IPMI interface (pg. 26), an I2C interface (pg. 31), a RJ45 Giga interface (pg. 24, pg. 26), a Fiber Channel interface (pg. 13), and a UART interface (pg. 24, 27).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the disclosure of Hawkins et al. with that of NexCom in order to provide more interfaces and connectivity options so that the resulting device could easily be integrated into a multi-computer networking environment.

The examiner takes official notice that Magnetic RJ45 interfaces are notoriously well known in the art. Furthermore, it would be obvious to one of ordinary skill in the art to use a Magnetic RJ45 interface where a non-magnetic RJ45 interface is already in use, as the Magnetic RJ45 interface is aimprovement over the existing RJ45 interface.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the disclosure of Hawkins et al. by making the computer a blade server and providing the additional ports disclosed by NexCom and the Magnetic RJ45 interface. These additional ports are industry standards and are in wide use, providing interconnectivity options that would make the resulting invention more extensible, configurable and flexible as more computers would be able to interact with the resulting invention. Furthermore, by making the invention a blade server, as disclosed by NexCom, it can be integrated into a networking environment in a simpler, easer to maintain and more efficient manner that would further improve the inventions ability to interact and work with other computers.

14. Regarding claims 4 and 9, Hawkins et al. further discloses an arbitration/switching control signal bus (Fig. 1 - Fig. 4, col. 7 lines 5 - 23) and Ethernet (col. 4 lines, 32 – 34).

Hawkins et al. does not disclose a 10/100 Ethernet bus, and a HiGiG bus.

NexCom (NexBlade HS420 2003-06 Edition) shows a 10/100 Ethernet bus (pg. 11, pg. 12, pg. 26), and a HiGiG bus (pg. 12, pg. 13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the backup controller disclosures of Hawkins et al. with Nexcom's disclosure that shows said interfaces. Including them insures two industry standard and commonly used interfaces are included. Including additional interfaces would allow more computers to interact with the resulting invention.

15. Regarding claim 10, Hawkins et al. further discloses wherein each management controller is a baseboard management controller (col. 1 lines 49 – 52, col. 2 lines 1 - 33) that supports the standard Intelligent Platform Management Interface (col. 2 line 59 – 60).

16. Regarding claim 11, Hawkins et al. further discloses where the operating mode setting module, the failure detecting module, and the standby activation module are implemented as a single ASIC (col. 3 lines 1 – 13).

Hawkins et al. do not disclose where the controllers installation status detecting module is implemented along with these other said modules on a single ASIC.

Struhsaker et al. disclose a controller installation status detecting module (Fig. 13, Fig. 15, paragraphs 0190 – 0193).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the integrated ASIC disclosed by Hawkins et al. with the controller status detecting module disclosed by Struhsaker et al. By using the ASIC disclosed by Hawkins et al. to perform the tasks of many what could otherwise require modules. Furthermore, the resulting device could have performance benefits, as the www.pcmag.com encyclopedia discloses; "use of ASICs improve performance over general-purpose CPUs" (http://www.pcmag.com/encyclopedia_term/0,2542,t=ASIC&i=38030,00.asp).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Frink whose telephone number is (571)272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven McAllister can be reached on (571)272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John Frink

STEVE MCALLISTER
SUPERVISORY PATENT EXAMINER